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The lower court dismissed the complaint on the ground that the evidence for the plaintiff was insufficient as a matter of law. The court of appeals, however, held that the facts should have been submitted to a jury, which would afford the plaintiff an opportunity to prove, if he could, that the infection was caused by the drinking water. A new trial was granted.

DIVISION OF VENEREAL DISEASES, AUGUST, 1919.

The accompanying table covers the activities of 161 of the clinics operating under the joint control of the United States Public Health Service and the State boards of health for the month of August, 1919.

This table shows that during the month there were 6,884 new cases of venereal diseases admitted, making a total of 21,312 under treatment, that there were 61,649 treatments administered to the patients under the care of these clinics, of which 12,280 were the administration of arsphenamine.

Census of patients under care of 161 of the clinics operated by the United States Public Health Service and the State boards of health for the month of August, 1919.

	Number of clinics.	Total patients.	Remain- ing on Aug. 1.	New ad- missions.	Discharged as—		
					Cured.	Probably cured.	Nonin- fectious.
Total.....	161	21,312	14,428	6,884	364	811	267
Alabama.....	11	1,858	941	917	52	160	.....
Arkansas.....	3	354	138	216	3	19	..... 19
California.....	3	198	148	50	5	11	.....
Colorado.....	1	298	238	60	10	.....	..... 11
Connecticut.....	2	185	130	55	8	15	.....
Georgia.....	2	557	344	213	12	45	.....
Indiana.....	12	1,615	1,062	553	43	39	..... 51
Iowa.....	5	411	222	189	2	36	..... 23
Louisiana.....	4	1,335	777	558	4	18	..... 26
Massachusetts.....	16	1,747	1,329	418	18	33	..... 7
Michigan.....	2	55	13	42	.....	.....	.....
Mississippi.....	1	139	109	30	1	22	..... 4
Missouri.....	1	137	99	38	1	.....	.....
Montana.....	2	120	101	19	1	.....	..... 11
Nebraska.....	3	208	150	58	1	10	..... 3
New Hampshire.....	2	115	88	27	.....	2	.....
New York.....	28	1,627	1,165	462	2	42	..... 13
North Carolina.....	8	796	540	256	17	4	..... 16
Ohio.....	19	2,742	2,010	732	26	42	..... 20
Oklahoma.....	10	1,842	1,323	519	43	94	..... 30
Oregon.....	1	113	40	73	.....	.....	..... 9
South Carolina.....	6	2,244	1,529	715	66	140	..... 7
South Dakota.....	2	12	8	4	.....	.....	.....
Tennessee.....	1	391	340	51	8	14	.....
Texas.....	2	1,410	1,156	254	18	22	.....
Utah.....	3	170	62	108	4	10	..... 17
Vermont.....	1	43	30	13	1	.....	.....
Virginia.....	4	439	263	176	18	14	.....
West Virginia.....	6	151	73	78	.....	19	.....

	Discontinued treatment.		Remain- ing under treat- ment.	Number of treat- ments.	Number of doses of arsenphen- amine adminis- tered.
	With per- mission.	Without permis- sion.			
Total.....	984	2,059	16,827	61,649	12,280
Alabama.....	127	181	1,338	7,313	1,163
Arkansas.....	14	7	292	1,760	125
California.....	18	13	151	760	111
Colorado.....	.....	40	237	320	61
Connecticut.....	.....	25	132	401	77
Georgia.....	51	50	399	1,284	313
Indiana.....	90	449	943	2,356	556
Iowa.....	25	41	284	1,558	351
Louisiana.....	33	206	1,048	3,530	803
Massachusetts.....	76	155	1,458	2,650	1,277
Michigan.....	10	.....	45	41	38
Mississippi.....	5	9	98	347	.....
Missouri.....	9	4	123	128	..... 48
Montana.....	1	.....	107	124	..... 111
Nebraska.....	.....	14	180	573	..... 126
New Hampshire.....	14	3	96	348	..... 82
New York.....	112	46	1,412	4,574	1,254
North Carolina.....	39	30	690	3,130	464
Ohio.....	113	89	2,452	5,551	1,025
Oklahoma.....	118	391	1,166	6,505	1,460
Oregon.....	5	2	97	223	..... 59
South Carolina.....	81	166	1,784	9,312	1,553
South Dakota.....	.....	.....	12	3	..... 2
Tennessee.....	5	33	331	1,479	..... 167
Texas.....	13	59	1,298	4,425	..... 418
Utah.....	5	35	99	702	..... 139
Vermont.....	.....	4	38	16	..... 30
Virginia.....	15	6	386	2,041	..... 355
West Virginia.....	.....	1	131	195	..... 112